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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-06-0506 MHP
	)	
12 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	PROTECTIVE ORDER
13 v.	)	
	)	
14 SALVADOR RODRIGUEZ,	)	
	)	
15 Defendant.	)	
	)	

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16  
17 Defendant Salvador Rodriguez stands accused by indictment of being a felon in  
18 possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). The government's evidence in the  
19 case includes a taped statement supplied by a purported eyewitness. The government believes  
20 that the tape cannot be redacted in such a way as to protect the witness's privacy while still  
21 conveying the substance of the witness's observations.

22 The parties agree that review of the tape by defense counsel may facilitate settlement  
23 negotiations. As such, the government is prepared to produce a copy of the tape to defense  
24 counsel subject to a protective order concerning its use at this stage of the proceedings. Defense  
25 counsel is willing to abide by the conditions of a protective order under the circumstances of this  
26 particular case.


1 Accordingly, the parties agree and stipulate that the government shall produce an exact  
2 copy of the witness's taped statement to defense counsel forthwith. Defense counsel agrees that  
3 defense counsel and defense counsel's representatives at the Federal Public Defender's Office  
4 will not produce the tape or any copy of the tape to the defendant; will not review the tape in the  
5 defendant's presence; and will not reveal the identity of the witness to the defendant or any of  
6 defendant's family members or associates without the advance consent of the government.

7 IT IS SO STIPULATED.

8 Dated: 10/26/06

  
BARRY J. PORTMAN  
Federal Public Defender  
JOSH COHEN  
Assistant Federal Public Defender

11 Dated: October 25, 2006

  
KEVIN V. RYAN  
United States Attorney  
ANDREW CAPUTO  
Assistant United States Attorney

15 **ORDER**

16 Accordingly, and for good cause shown, the protective order described above is hereby  
17 imposed and shall remain in effect until further notice.

18 **IT IS SO ORDERED.**

19 Dated: 10/27/06

  
MARILYN HALL PATEL  
UNITED STATES DISTRICT JUDGE